

ENTERED

September 20, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

PRINCE MCCOY, §
TDCJ # 00852958, §
§
Plaintiff, §
VS. § CIVIL ACTION NO. 3:17-CV-0235
§
MR. ALAMU, *et al*, §
§
Defendants. §

ORDER

On August 22, 2018, this Court granted summary judgment for Defendant and dismissed the civil rights suit brought by state inmate Prince McCoy (Dkt. 32, Dkt. 33). McCoy has filed a notice of appeal (Dkt. 36). He also has filed a motion for leave to proceed *in forma pauperis* on appeal (Dkt. 37) along with a certified copy of his inmate trust fund account statement. The Prison Litigation Reform Act requires prisoners filing any civil action or appeal to pay an initial partial filing fee. *See* 28 U.S.C. § 1915(b)(1). The statute also requires prisoners to pay the balance of the full appellate filing fee of \$505. Because the appeal does not appear to have been taken in bad faith, *see* FED. R. APP. P. 24(a)(3)(A), the Court **ORDERS** as follows:

1. The motion for leave to proceed *in forma pauperis* (Dkt. 37) is **GRANTED**.
2. Based on the trust fund account statement furnished by McCoy (Dkt. 38), the Court assesses an initial partial filing fee of \$2.00. The agency having custody of the plaintiff shall collect this amount from the plaintiff's inmate trust fund account or institutional equivalent, when funds are available, and forward it to the Court.

3. Thereafter, the plaintiff shall pay \$503.00, the balance of the filing fees, in periodic installments as required by 28 U.S.C. § 1915(b). The agency shall collect this amount from the plaintiff's inmate trust account or institutional equivalent and forward it to the Court.
4. The plaintiff is responsible for signing all consents and other documents required by the agency having custody of plaintiff to authorize the necessary withdrawal from the plaintiff's inmate trust account.

The Clerk will send a copy of this order to the parties. The Clerk will also provide a copy of this order by regular mail, facsimile, or e-mail to: (1) the TDCJ - Office of the General Counsel, Capitol Station, P.O. Box 13084, Austin, Texas 78711, fax 512-936-2159, and (2) the TDCJ Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, fax 936-437-4793.

SIGNED at Galveston, Texas, this 20th day of September, 2018.


George C. Hanks Jr.
United States District Judge